

By: /s/  
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**CERTIFICATION OF SERVICE**

I hereby certify that on September 26, 2012 a copy of the foregoing NOTICE OF MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF system.

/s/

Thomas L. Tisdale